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The Honourable Larry Bagnell

Standing Committee on Procedure and House Affairs

Thursday, September 27, 2018

● (1535)

[*English*]

The Chair (Hon. Larry Bagnell (Yukon, Lib.)): Good afternoon, and welcome to the 120th meeting of the Standing Committee on Procedure and House Affairs.

Mr. Bittle.

Mr. Chris Bittle (St. Catharines, Lib.): Thank you so much, Mr. Chair.

I'd like to thank the minister for being here, and I apologize for interrupting before we begin, but we did have an agreement with the Conservatives that the minister would appear prior to clause-by-clause proceeding. We have a motion before this committee that needs to be finalized. It needs to be voted on, and I think we should take a moment. It won't take long. We've debated it all week.

The Conservatives have been ragging the puck. It's like a bad episode from the movie *Groundhog Day*, time after time, delay after delay, to prevent clause-by-clause from starting. The Canadian people want to see us bring this forward.

The CEO of Elections Canada said that this is a good bill. He said it's not a perfect bill, so let's get to clause-by-clause and make this bill better.

We have a motion before the committee. I don't want to take up any more time, but I think we should vote on that bill and get clause-by-clause started, and have a date set for the beginning and the end, and then we can quickly proceed to questioning the minister.

The Chair: We'd have to vote on the amendment first.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Sorry, Mr. Chair. Am I mistaken about this? I think, and I might be mistaken, that procedurally this is not the same meeting.

I'm not sure if Mr. Bittle is moving a new motion that we not hear from the minister but instead move to the motion that was before the committee, or perhaps he is moving that we withdraw that motion. Procedurally, I'm just not sure how it works.

This meeting was not called to deal with that issue, the issue of the motion. It was called to hear from the minister. There was a separate meeting this morning, which has adjourned, and we had a discussion at the committee about calling a new meeting following this one, at which the minister would appear, at which we would deal with Ms. Sahota's motion, to which Mr. Nater had made an amendment. It seems to me that it's procedurally out of order to simply assert that we should be on that now. Although, as I say, it may be procedurally acceptable for Mr. Bittle to move such a motion.

I will just editorially say it strikes me as being bad form to do that, at this time. That's just an editorial, but I would like my procedural question answered.

The Chair: Mr. Christopherson.

Mr. David Christopherson (Hamilton Centre, NDP): Can I get a ruling on the question, please? There's no sense in my arguing something that I may have already won depending on the ruling. If you don't mind, I'll wait.

The Chair: Okay, the clerk tells me that Mr. Reid is somewhat in order, but Mr. Bittle could propose a motion that we move onto discussion of the other motion. It's not debatable, and if that passed then we would move onto the discussion he's having.

Mr. David Christopherson: I'm good.

Mr. Chris Bittle: Then I propose we do that, followed by having the minister speak.

The Chair: Okay.

All in favour?

Mr. Scott Reid: Could we have a recorded vote on this one, Chair?

The Chair: We'll have a recorded vote.

(Motion agreed to: yeas 6; nays 3)

Mr. Scott Reid: Mr. Chair, I believe I am correct in assuming that at this point we are once again back to discussing not the motion but the amendment to the motion.

The Chair: Yes.

Mr. Scott Reid: Okay.

Are we at a point in the proceedings where I could speak to the amendment to the motion? Am I right that the speaking order was established? I guess it's only a convention, a best practice, that we—

The Chair: You're the only person on the list, so you can go ahead.

Mr. Scott Reid: Right, in fact the speaking order that we had is gone and we don't go back to it. I think that's right.

I'm just trying to work out what it is, that's all.

The Chair: Go ahead.

● (1540)

Mr. Scott Reid: Look, Mr. Chair, it's unfortunate that we're in the middle of a procedural discussion that we all assumed would be suspended for an hour while we heard from the minister.

This is a strong-arm tactic to keep us.... I'm not sure whether the government's point is that they don't want the minister to speak, or whether they want to teach us a lesson: You don't get to hear from the minister unless you just collapse like a house of cards. This is actually an offensive tactic.

If we have to, we can talk for some length of time and we can reschedule the minister's appointment.

I'm just going to take a moment to get out Ms. Sahota's motion, and I'm going to make a suggestion here. We're, of course, discussing the amendment to Ms. Sahota's motion.

Mr. David Christopherson: On a point of order, Mr. Chair, could I, with respect, ask Mr. Reid if he would accept a Simms protocol question?

Mr. Scott Reid: Of course.

Mr. David Christopherson: Do you have any interest, and would it be helpful, if we agreed to flip the discussion, assuming that we're all wanting to do this? That's my assumption. We'll see.

Do we maybe want to hear from the minister, spend that time—because you rightly point out we could lose that—and flip this discussion to the hour after the minister is done?

I see some government members shaking their heads. You're going to have to give me a good reason why that's not a good idea, or I'm going to have to be concerned that Mr. Reid has a valid point and that you're playing some kind of game.

I don't think so. I didn't see it that way. I was part of agreeing to this, but I'm just offering this up because I think a valid point is being made. We could accomplish both by hearing from the minister now and then upon that adjournment, agreeing to spend another half-hour or hour to get that motion passed so that we can get on to the work.

Mr. Scott Reid: I'm willing if we stick with the whole Simms protocol idea.

I don't know if the minister is familiar with the Simms protocol, but it was a good idea developed by Mr. Simms on a previous occasion.

I won't dwell on it but the question is, under the Simms protocol, can we get some feedback from the Liberals, without my ceding the floor, as to how they would feel about what Mr. Christopherson is suggesting?

The Chair: Ms. Sahota.

Ms. Ruby Sahota (Brampton North, Lib.): Mr. Christopherson, I understand where you're coming from, but where we're coming from is not from a place of wanting to delay this anymore. It's coming from a place of wanting to move forward.

We've been debating this motion, to begin clause-by-clause essentially, for some time—two full meetings. We could continue to do this after the minister speaks, but I'm afraid that we could continue to do this for several more meetings without ever getting to a point where we actually begin clause-by-clause on this legislation, which both you and I agree is so important to democracy and to Canadians.

That's why I really feel it's necessary to get to the vote on the motion. You weren't here one day when Nathan was filling in for you, but there was a handshake agreement made at that point, basically to get the minister to agree to come, so that immediately after we would start into clause-by-clause. However, there have been no reassurances given at all that there's any intention on the other side to begin studying the actual legislation.

At this point it seems like we keep bringing witnesses forward and keep bowing down to every demand that the Conservatives make. We've been very lenient and flexible, but we're not seeing it reciprocated. We're waiting and looking for an indication that clause-by-clause will begin.

Mr. David Christopherson: May I ask one more question to Mr. Reid?

If we proceed the way we are right now, I could be wrong but my hunch is that the official opposition is not quite finished doing their talking. I understand what the government is doing. I think Mr. Reid is probably accurate, that you're using this as a bit of pressure to leverage the government to make a vote, but I don't think it's going to work.

I think what we're going to end up with is an hour-long discussion that eats up the time with the minister. We may or may not get the minister back. I suspect that's going to be difficult, thinking of the politics of this. I appreciate Ms. Sahota's response. That helps. I understand why you reacted the way you did.

My question to Mr. Reid would be, can we reasonably expect that we could come to a vote on the motion and amendment that we have been spending a great deal of time on? Can we have some assurance—if we heard from the minister, given a certain period of time, whether that's a half-hour, an hour, or whatever—of how much more you have to say?

I'm done talking on the motion and the amendment, and I suspect that the government is done. What we're looking at now is the official opposition. The question for us is, do you have legitimate concerns that you need a certain period of time to finish, or should we have good reason to suspect that all the official opposition is going to do is continue to delay thereby making it that much more difficult to get the bill passed?

It's a matter of trust here. I hear what the government is saying.

Mr. Reid, I think it's fair to say that we'd like to hear some assurance that we're not just setting this up so that you can filibuster, we don't hear from the minister, we don't get the vote and we just lose, lose, lose.

Again, if we are all trying to find a way through this together procedurally, it would be very helpful, sir, if you could give us a sense of what your intent would be vis-à-vis the time you would want, and when we could expect that we would actually have a vote.

● (1545)

Mr. Scott Reid: As you're aware, I'm no longer the shadow minister, as we call them now. I am just a foot soldier. That's actually a question that is best directed towards my colleague, who is just having some discussions right now.

While she gets prepared to answer to you, I will let the committee know that I propose the following regarding Ms. Sahota's motion. I won't read the whole thing, but it reads "That the Committee do not commence clause-by-clause consideration of Bill C-76"....

I'm sorry. I'm reading it as amended by Mr. Nater, if you follow. As amended by Mr. Nater, it would read, "That the Committee do not commence clause-by-clause consideration of Bill C-76 before the Committee has heard from the Chief Electoral Officer of Ontario".

I propose a subamendment, which states the following, "nor until the committee has heard from the Minister of Democratic Institutions for not less than 60 minutes".

Ms. Ruby Sahota: Why not flip that and say we will begin clause-by-clause after we've heard from so-and-so? That would be assurance. What you're doing is not assuring at all.

Mr. Chris Bittle: If I may, the minister is more than willing to be here for 60 minutes and we're hearing from the Chief Electoral Officer from the Province of Ontario on Tuesday, so why are we still talking about this?

If we stopped talking, we could proceed. The minister is eager to answer questions, and if it's a matter of timing with the minister, I know we'd be willing to give up our slots so that the opposition is assured of the equivalent of what they had to get this over and done with.

It's just a matter of stopping talking. We've been discussing this. All of the parties positions have been on the record. You guys have eaten up the bulk of the debate talking about mostly nothing.

Mr. David Christopherson: Be specific when you say, "You guys".

Mr. Chris Bittle: Sorry, Mr. Christopherson, it's the Conservative Party. Thank you for the clarification.

It's time to move on.

Thank you.

Mr. Scott Reid: I'm being told, "Be silent". That's what we just heard from the parliamentary secretary: "Be silent or you don't get to get the minister." That is genuinely offensive. Give up the only tools the opposition has at its disposal or they will withhold the minister.

This member, for all his self-righteousness, has now taken us 20 minutes into the hour we were supposed to get with the minister.

Mr. Chris Bittle: I've spoken for two minutes.

Mr. Scott Reid: No, you're right.

Chris, we'll do whatever the hell you want. We'll just cave. We'll just collapse like a house of cards under your cheap trick—

Mr. Chris Bittle: Just say it's a filibuster.

Mr. Scott Reid: —which was announced without any warning. You're right. We'd be [*Inaudible—Editor*] asking the minister.

Mr. Chris Bittle: A filibuster isn't a cheap trick...?

Mr. Scott Reid: We have no sense of self-respect and, frankly, I'm just appalled at the fact that you would do this.

Now, I realize you didn't do it. You were told to do it—

Mr. Chris Bittle: You're not told to continue to filibuster.

Mr. Scott Reid: —but that doesn't change the fact that it's a cheap, cheesy trick.

Mr. Chris Bittle: When's the filibuster going to end, Scott?

Ms. Ruby Sahota: He doesn't care. He's just a foot soldier.

Mr. Chris Bittle: Just a good soldier?

We can throw insults back and forth if you like.

● (1550)

Mr. Scott Reid: Man, you are the master of the insults in this committee.

Nobody holds a candle to you, Chris. My hat is off to you for your impressive [*Inaudible—Editor*].

The Chair: Okay, guys. Let's bring some decorum back to this meeting.

Mr. Reid, you have the floor. We're on the amendment.

Mr. Scott Reid: Yes, thank you.

Apparently—thanks to this tactic from the Liberals—we won't be hearing from the minister. I apologize to the minister that she is forced to sit here while this is all going on.

I've been at meetings before where we've had the Chief Electoral Officer just sitting through this kind of thing. I can't even remember who was in government at that time.

Look, 20 minutes into what was supposed to be an hour from the minister, we are instead debating whether we are allowed to debate, whether we are allowed to seek amendments and whether we are simply to do as we are told, to be silent.

That's why I worded it as I did. Obviously, I wrote this on the spot: that we do not commence clause-by-clause consideration before the committee has heard from the Ontario CEO—which was the amendment to the initial motion—nor until the committee has heard from the Minister for Democratic Institutions for not less than one hour, which is to say getting the 40 minutes back, or the 30 minutes or whatever it is. That's not going to be acceptable. This is just a reasonable request, a problem that would not have arisen if the Liberals had not decided to pull this stunt right now.

The Chair: This is a seven-minute intervention.

Mr. Scott Reid: All right. Thank you very much.

I will stop there. I understand there's a list, and perhaps there'll be some Liberals who will be in a position to comment on that. As things stand now, the fastest resolution is for the Liberals to just drop their insistence that we debate this. We will be happy to suspend the debate, and we would hopefully be in a position to allow the minister to stay on a few minutes beyond her originally intended exit time.

The Chair: Okay.

Now we've just proposed a subamendment that adds to the amendment, "nor until the Committee has heard from the Minister of Democratic Institutions for no less than one hour".

I'll start a new list on the subamendment.

We'll have Mr. Nater, and then Ruby.

Mr. John Nater (Perth—Wellington, CPC): Thank you, Chair.

Unless Ms. Sahota has something that would allow us to come to a conclusion on this, I'm willing to exercise the Simms protocol to allow her to speak first, provided that I am next on the list.

Ms. Ruby Sahota: I'll keep it shorter than I have in the last couple of meetings.

I do want to say officially what I was trying to interject and say earlier, which I probably shouldn't have done, but what's the logical next step?

I feel your subamendment to the amendment to the motion is a very negative one. It doesn't give the government any assurances that we'll move on to the next logical step after hearing from the minister or after hearing from the Ontario Chief Electoral Officer.

We've heard from—what is it again?—53 witnesses for this study, which we began on May 23. Numerous amendments have been proposed by all the parties. We have exhausted our witness list. You guys don't seem to be proposing any other ideas at this point that are going to improve this legislation, so it is just stall tactic after stall tactic. What is the next step?

We can hear from the minister. We've already scheduled the Ontario Chief Electoral Officer. The federal Chief Electoral Officer has been here four times, not including the report from the 2015 election that we went through with him, where he had 130 recommendations. I don't even know how many meetings we spent on that. We spent a chunk of this year on that.

We've done all that work. What is the next step? I want to hear a proposal from the other side, and I'd like the subamendment to be made positive so that, after hearing from the minister and after hearing from the witness we have on Tuesday, we are going to move into clause-by-clause. If we're not, then what next?

The Chair: Mr. Nater.

Mr. John Nater: Thank you, Mr. Chair.

I'm eager to hear from the minister. The minister was scheduled to be here from 3:30 to 4:30. I would suggest that we table this motion for now. It would put this aside until we hear from the minister. What the minister tells us, I don't know. She doesn't share her speaking notes with me yet, but I'm sure she has a lot of insight that she's going to share with us.

We may be able to move forward on this in short order if we hear from the minister and then deal with this motion following her appearance in the next 34 minutes. If the government members are willing to table this motion until 4:31, we can come back to this motion and deal with it then.

I would move the debate be adjourned now, and I would be more than happy to begin this discussion again at 4:31 after we've heard from the minister.

● (1555)

The Chair: It's non-debatable, non-amendable, so we have to have a vote on whether to adjourn the debate. Does everyone understand the situation?

Mr. Scott Reid: Mr. Chair, let's have a recorded vote.

(Motion negatived: nays 6; yeas 3)

Mr. Scott Reid: I'd like to be put back on the speakers list, please.

The Chair: The debate is not adjourned.

We'll go on to the next speaker.

Mr. Christopherson.

Mr. David Christopherson: I have a question at this stage.

Mr. Nater, you were willing to move a motion that would have us pick up this discussion after, which is not unlike what we asked for earlier. I'm giving you all the room to talk as long as you want, but would you agree that once we entertain that debate, we don't rise from this meeting until we vote?

That way, if you want to filibuster for the next 10 hours, you can go for it. Nobody's being denied the right to speak and at the end of the day, the majority of the committee, which constitutes two out of the three parties here, get what we want, which is a vote.

Mr. Scott Reid: I have a point of order, Mr. Chair.

We're 30 minutes in. If we can inquire of the minister if she's in a position to stay an extra half-hour with us.... I don't want to force her to stay. If we don't come to any agreement at the end of that half-hour, but we have her here. We've already lost half her time doing this stuff. If things work out, we could have our hour of questions with her. I think that's a germane question.

Hon. Karina Gould (Minister of Democratic Institutions): Yes, I'm always willing to come when the committee wants to hear from me.

Mr. Scott Reid: Okay, thank you.

The Chair: We're at Mr. Christopherson.

Mr. David Christopherson: Okay. That's fine.

Mr. Reid, you got the answer. I think it was a helpful answer. I certainly appreciate the minister's flexibility to help us do this as peacefully as we can but still get it done, so I come back to you, sir. Are you and your team open to the idea that we will return to this debate after we've heard one full hour from the minister, who has now graciously agreed to massage her schedule to allow all of us to have a full hour.

Do you agree that we will begin this discussion at the end of that hour and that this committee meeting will not end until we have a vote and that you will have all the time, hours, days, weeks, whatever you want, but at the end of you folks saying what you want to say, we get a vote? Do you agree with that?

Mr. Scott Reid: First of all to be clear, the thought that I want days, hours, or God help us, weeks of sitting here debating this subamendment or anything else with this motion, trust me, that is not what I want.

I think you probably believe my sincere point.

Mr. David Christopherson: I do believe that, but I'm more interested in hearing whether we're going to get a vote or whether you guys are going to drag this out and we're going to have to use the heavy hand of going back to the House and getting an order to hear, which I will be prepared to support if necessary. I'd much rather do this nice and friendly and give you the opportunity to take all the time you need to make all the points you feel you wish to.

● (1600)

Mr. Scott Reid: The brief answer, and it's also sincere, is that's actually not in my power. I don't have the power to say what.... How do you say you're willing to rise regardless, unless you say you're willing to concede everything on this? I'm trying to think of a way of answering you without—

Mr. David Christopherson: No, you're trying to think of a way out of it because what you're trying to do is delay this and you're running out of runway. This game is over. Let's get this done, sir.

Mr. Scott Reid: I understand why you'd say that, but that's actually not what I'm trying to do. What I'm trying to express is that.... I'm involved in similar negotiations right now with a local township, and it's the same sort of thing as well: "You must come to an agreement by this time, full stop, and if you don't come to an agreement by that time, then we just get our way." I don't find that a very attractive position to be in, and essentially it's just a unilateral concession of surrender. At that level, the answer—

Mr. David Christopherson: How so? You have all the time you want to say what you want. How is that surrender? You're going to lose the vote. You know that. The question is, how long are you going to avoid our having the right to vote?

Mr. Scott Reid: I guess we can find out.

Mr. David Christopherson: There are judges out there. They're called the public. This is a public meeting, and they're going to understand very clearly who's doing what and why.

The Chair: David—

Mr. Scott Reid: That is 100% true.

The Chair: —just give Mr. Reid a chance to—

Mr. David Christopherson: No, you're right.

The Chair: —get more debate.

I have a question for you. The last time we were in such a situation where there was unlimited time, it went for weeks if not months.

Mr. David Christopherson: Yes, but I was wasn't part of that. Ninety per cent of that's gone if I shut up.

The Chair: I don't think you should underestimate Mr. Nater and Mr. Reid and their expertise in that skill.

Mr. David Christopherson: Give them a chance.

The Chair: Are you proposing unlimited weeks and months of discussion?

Mr. David Christopherson: Quite frankly, they have that right anyway. Once they take the floor they can filibuster. The difference is that we would agree not to adjourn and to continue with the meeting until such time as we have concluded everybody's remarks, which would allow us to continue to begin the work.

Remember, for anybody paying attention, all of this is about whether or not we start working. Work is when we look at the bill clause by clause. The government has put forward a bill that it, the Chief Electoral Officer and the NDP support, and that the former government members don't—the official opposition. That's fine. I want to make sure they have a right to say what they want. They say that's all they want and they don't want to have their right to speak extinguished. That's fair enough.

I'm offering them that opportunity, and all I'm asking is whether they will give us the assurance that once they're finished their comments that this meeting will still be in order, at which time we can vote. Then we can actually start the work. This isn't the work. This is preparing for the work. The work is the clause-by-clause. Let's get to it. I'm just trying to find a way.

Here's my concern, Mr. Reid. I don't play a lot of games. I'm not smart enough. I put things on the table because that's the only way I can be. I'm passionate about this file. If you have legitimate concerns, I want to hear them, but I also want to get to the point where we vote. What it's looking like to me, with great respect, is that you're dragging your heels and doing your best to slow things down.

I understand that tactic. Sometimes I can master it, but let's call it what it is and not keep pretending that this is about the rights of the official opposition members, because the fly in that ointment is me. If anybody is going to stand up and scream about a majority government ramming through changes to the electoral process.... Let's see. Do we have any history we can call back on as to what I might do if a majority government attempted that kind of thing? I think we can.

We're onside with this, so if you're not filibustering just to delay, then please offer a path or road map that protects the rights you want but let's us do the work we want. All we ask for, nicely to start, is a vote. All we want is a vote on the motion so that this debate ends at some point.

Ms. Ruby Sahota: Let us vote so Canadians can vote. That's what I would say.

● (1605)

Mr. David Christopherson: Thanks, Chair.

Thank you, Mr. Reid.

Mr. Scott Reid: First of all, I do not doubt that—

The Chair: Mr. Reid, you happen to be next on the list.

Mr. Scott Reid: Am I not on the list anymore?

The Chair: Yes, you are now. It's you now. It was Mr. Christopherson on the list on the subamendment. Now you're—

Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.): You haven't officially ceded the floor yet.

Mr. David Christopherson: Do you want me to hold the floor so you can do a Simms? Okay, I select the floor.

Mr. Scott Simms: I want you to hold it just for a point of clarification so I can figure this out. You're asking that we go forward with a round with the minister. By round I mean an hour. Following that, we need to have a vote on his amendment.

Mr. David Christopherson: That's close. I was just saying we would all acknowledge that they're going to take whatever time they want to finish putting their remarks on the public record in front of the cameras, but the agreement here would be that this meeting doesn't adjourn. Do you remember the stunts the previous government pulled? They've used it before. There are ways you can keep a meeting going, and that is that the majority refuses to adjourn, so the meeting can keep going.

My point is that we would hear the one hour, move back to this motion, and stay in this meeting until such time as the speakers list is exhausted, which would be only Conservatives. I'm just seeking from them, do they agree that's fair? They'll be given all the time they want to speak after the minister, but we all agree that this meeting will not conclude formally until we've voted.

That may mean some of us having to stay around for a while. This is difficult on us and I'm asking a lot, but if there's a way to do this peacefully, that's best. I want to make sure we've exhausted every opportunity because Mr. Reid is one the most honourable members of this House, in my opinion. That doesn't mean he won't play political games, as I will when necessary and called upon, but in fairness and out of respect, if there are important things they want to say, let them say it, but when they're done let us have the vote we want.

I'm not even saying you're on side. I was putting it out there as a possible way that we could do that peacefully, because if we don't do this peacefully and if we can't get to clause-by-clause, I don't see how the government has any other choice except to go back to the House and get an order from the House, which we don't like to do. If necessary, given the importance of this bill in taking out the ugliness that's in there from the unfair elections act, I will stand in that chamber and support a motion that orders the House to start clause-by-clause. I don't want to do that any more than anybody else, so if my idea won't work—and that's fine, I don't say I have great ideas—somebody else put another idea on the floor.

There's one of two ways this gets done. We're all in agreement as to the process and then it unfolds that way, or we go to the House and they issue an order. But letting this not pass is not an option.

The Chair: David would like to go on the Simms protocol.

Mr. David Christopherson: Yes, sir.

Mr. David de Burgh Graham (Laurentides—Labelle, Lib.): I wanted to let you get to your stopping point, but that's fine.

David, we had a commitment from them that we would have a date set on Tuesday, so why would their word be good today? Even if they agree to what you're suggesting, why should we take their word for it since they broke their word on Tuesday?

Mr. David Christopherson: Because we would then be into an extraordinary situation whereby the House could be sitting at eight or nine o'clock tonight, midnight. For them to suddenly change gears after that, I suppose they could but—

Mr. David de Burgh Graham: You're getting more and more surrounded by Conservatives. I'm not sure they're ready to change gears.

Mr. David Christopherson: This time, unlike the last Parliament, we get to do a lot of this stuff publicly. There is a judge out there. We have a chance to explain what's going on. You may be right, but, boy, do they really want to go down that road?

Mr. David de Burgh Graham: They sure seem to.

Mr. David Christopherson: I'm not so sure because this is all out in the open now. You can pull off that stuff a lot more easily when nobody is looking and nobody cares. It's moved now. This is now a big deal. I hear what you're saying. I think if we structure this the right way politically they shouldn't be able to do that even if structurally, legally, they could.

The Chair: Mr. Bittle, would like to speak on the Simms protocol.

Mr. Chris Bittle: On the Simms protocol, very briefly, in terms of Mr. Christopherson's motion, I agree we want to get this done peacefully, but it still exists. They can continue to speak as long as they want. The minister has said she will testify whenever. We need to get this done. I agree with Mr. Graham that we've been playing this game now for months. I know Mr. Cullen has been here for most of the time during witnesses and during testimony and we're told one thing and then another thing happens.

We just want some finality to this. We want a date. We want a start and we want a finish. We want to get this done and bring this back to the House. I know the Conservatives believe it's far from a perfect bill. It's time to bring the amendments forward and it's time for them to put forward to the judges who are out there and say the reason why the government legislation is flawed and present their proposal to fix it. Now's the time to set that date because we have to move this forward.

● (1610)

Mr. David Christopherson: I hear you, Mr. Bittle, but here's how I'm looking at it—and I could be wrong. I'm looking at this politically and thinking that if this committee is still sitting two days from now around the clock, it'll have some 'splainin' to do. I don't think the Conservative position right now is tenable with the public, especially if we're willing to give them all the time in the world to say what they want. If they decide that they're going to try to make this a repeat of what we did with Bill C-23, they're missing one thing: The angels aren't on their side.

If they want to be seen defending keeping this committee and all its operations going for 24 hours a day, day after day, to stop us from voting, I have a hunch there are going to be a few people out in the public who are not going to be buying that argument. That's my bet. My political bet is that they can't sustain that. The reason we were able to sustain it with Bill C-23 was that we were on the side of the angels. What they were doing was so wrong, and the public knew it. When we went out to the public, my office was getting emails and texts saying, "Go get 'em."

How many do you think they're going get for doing nothing but preventing us from voting? My political calculation is that we can withstand that better than they can.

The Chair: The second speaker on the subamendment is Mr. Reid.

Mr. Scott Reid: Let me start by going back to something. I thought I was going to take the floor a while ago.

Mr. Christopherson just said that he's very passionate about this, that he doesn't play games and that he's not smart enough to play games. Two out of those three statements are true. He is very passionate. He doesn't play games, or at least not mind games or things that involve being dishonest. But as for the "I'm not smart enough" part, that is emphatically not true. Now that he's re-entering the private sector, it's time to stop saying bad things about his own intelligence. He should reflect in his comments the fact that he's smart.

Mr. David Christopherson: What's your experience doing job interviews?

Mr. Scott Reid: I don't know the details, but I'm just looking out for my friend.

Mr. David Christopherson: I appreciate that, sir. You don't mind if I put belts and suspenders on too, though, do you?

Mr. Scott Reid: I do not.

At this point, the subamendment that I put forward, when I put it forward, was meant simply to say that we should be doing what we actually had agreed to do, which was to have the minister first, and then go on. I had made the assumption that the chair would do what we had discussed just before one o'clock when we said that the chair could call a meeting afterwards, immediately afterwards if he saw fit, to move on to discussing Ms. Sahota's motion. Of course the end time of that—and we are all familiar with that in this committee—is as late as we want it to be or as early as we want it to be. That was the initial idea.

However, it's now 4:14 according to my watch, or my iPhone, and we've actually used up almost all of the time the minister originally had available. Now she has said that she's here for at least another half-hour. But to be fair to the minister, she's indicated that she could be here, if we asked her, until five. Who knows? Maybe it will go later than that, but we're actually getting to the point of the hour now where the minister changes. We've used up the time, or have come close to it, and now there's a reasonable expectation that we will actually add this in.

A sleight of hand on the part—and don't get me wrong; it was not procedurally invalid, but it was a change from what we had all thought was going to happen—of Mr. Bittle has caused this to occur. That's what I said in my initial response. I was angrier than I am wont to be, but I do get annoyed, angry, from time to time, as we all remember from the spring of 2017.

Now I've lost my train of thought. I was so busy reliving that moment.

This has happened because the government side has engineered this circumstance.

I remember now what I was going to say. Frankly, at this point, I'm just doing this out of a sense of self-respect. If I can be rolled over that easily, then how am I going to go home and look at myself in the mirror, for God's sake?

● (1615)

Mr. David Christopherson: You can do better than that. You're going to have to.

Mr. Scott Reid: I actually can't do better than that. Perhaps someone more eloquent than me could do better than that.

I don't know why they did this. We'd be in the same position if we had heard from the minister, who is the most eloquent person they have on this subject. She's really well spoken, she knows her file, she has coherent things to say and she has always done a really effective job of articulating the government's position. It would be at exactly the same point procedurally, so I don't get why we didn't just move on to the discussion after, as opposed to before her presentation. I really don't get it.

Now we're in that position, I am prepared to speak to it and just say that this is actually a really reasonable subamendment. Everybody is familiar with the staff handing you amendments or subamendments that are meant to just keep the ball rolling, but in this case, this is the reasonable thing to ask for.

Ultimately, the government has this goal. It wants to get its legislation through this House by.... We would start clause-by-clause consideration of anything that's left at 1:00 p.m. on October 16. Even if we hadn't discussed any clauses at that point, the motion contemplates that we're done and it's out of here a few hours after that, so by the end of the day on October 16.

That's what the government is after. Everything else here is secondary. If that's the government's goal.... It's a complicated bill. Everybody concedes that. The minister has referred to it as generational change. I don't think that just means we're catching up on a generation of having neglected things. I think they mean this is meant to be change that will be here for a generation, until the minister's baby boy is able to vote and maybe even take a seat here.

It's a bill that the government has gone back on and made adjustments to. They have amendments of their own they've put in because they recognized their first draft was imperfect in a couple of ways. That's just what happens with large bills, so it doesn't make this bill stand out from the crowd of large bills, as these things go.

All we're looking for, in an environment where we are the minority—the government has more than half the votes and can do whatever it wants—is something that amounts to a guarantee that some of the amendments we're putting forward will actually get through. Now we are saying we want the government to express a willingness to us, in whatever way they want, to consider some of our amendments. There are no secrets here. Our amendments are already filed.

If we just agree to this, what happens is that we're not going to get any agreement on any of those amendments. We want their word.

By the way, speaking of people breaking their word and so on, I just want to say that what I'm doing here is indicating that we believe when the minister and the House leader give their word behind closed doors, it means something. We actually think they are honourable people, not just in the pro forma sense as when we talk of "my honourable colleague" or "the honourable minister", but in the meaningful sense, the real sense. That's what we're after, and if we have to talk a fair length of time in order to obtain it—if we have to filibuster in order to obtain that—that's what we're after. It's not hard to understand. After this, they can push on and get the legislation by the proposed due date.

I've been clear in my previous remarks on this that the subsidiary components of Ruby's original motion are entirely reasonable: "That the Chair be empowered to hold meetings outside of normal hours to accommodate clause-by-clause consideration". That is a very reasonable thing to do with a large bill when you're looking at a deadline that's really only two weeks out, and one of those is a break week.

● (1620)

As for "That the Chair may limit debate on each clause to a maximum of five minutes", I thought that was well worded too, in that it says "may" limit debate, not "must" limit debate. It's reasonable. That five-minute number is essentially reasonable. You can make a coherent argument on any point.

Also, if there's a genuine willingness to look at things.... For example, if there is an opposition amendment on a section or a clause where the government has indicated this—I'm not on the side that's administering anymore, but to the best of my knowledge they have not indicated this—or the government is willing to give its word that it will look at it, including, I need to be clear, not necessarily the wording we put out in our amendment but an adjusted wording to whatever amendment we propose.... On those ones, it would take more than five minutes, but there's flexibility for the chair. That's reasonable too.

I'm not even disputing the October 16 deadline, particularly given what we've heard from the Chief Electoral Officer, who is being extraordinarily helpful to us in laying out which things he can achieve and which things he can't achieve based upon a projected timeline in which the election still occurs in October 2019 as scheduled. The bill gets through the House and then the Senate and royal assent at some point in 2018.

All of these things are reasonable, but the one thing we have, the one tool at our disposal as an opposition party, is the ability to slow things down until we know that our amendments are being looked at. Look, we're not the government. We're not saying that all our amendments.... We're saying that we have some that are practical, businesslike ways of making this legislation better than the draft that is currently before the House. This would not be on the things that are the landmark issues of Bill C-23 from the last Parliament as opposed to this one, but on some really good practical ideas. That's all we're looking at. That's all we're asking for.

I'm glad I'm able to make this pitch while the minister is here. That discussion, which has to happen outside this chamber, is what we're after. That's how we would obtain it. I'm hopeful that we can get to that point.

I'm also hopeful that we can do it without me continuing to talk. I'll just find out if anybody else is on the speakers list, because I'm reluctant to surrender the floor if I know that there isn't someone else there.

The Chair: That's a good point.

We have six minutes left. On the list on the subamendment after you, are Mr. Nater and then Mr. Graham.

Mr. Scott Reid: All right. I will stop with that point. I really did want to make that point very strongly.

The Chair: Mr. Nater.

Mr. John Nater: Thank you, Chair.

Again, it's nice to have the minister here. I know that she was ready to provide her commentary and testimony and respond to questions. I still think it's unfortunate that we're not having that testimony and that discussion, because I truly was hoping—hope springs eternal—that that the minister would have been able to give us some indication in her comments about the direction she feels or sees that this legislation could take in terms of the amendments and the clause-by-clause.

It's pretty easy for us right here in the opposition, the three of us, to see that we are not going to get absolutely everything we want. We may not even get a majority of the things we want. We may get one or two clauses that we think are important.

● (1625)

Mrs. Stephanie Kusie (Calgary Midnapore, CPC): We're in a minority.

Mr. John Nater: Yes, we're in a minority.

We would hope that there could be some give-and-take, some discussion, and some willingness to have a discussion and have an agreement on certain important matters that we see within this bill. It's not a short bill. It's 246 pages long. There are 103 pages of explanatory notes. It's complicated. Clause-by-clause is important, and it will take some time. The proposal for limits on the discussion comes with the territory, and I acknowledge that.

I have to go back.... I'm not going to dwell on this. I'm just going to make the point. On the comment from Mr. Bittle of the Liberals that we should just stop talking, if that's the official PMO talking point, I think that's disappointing. I think that's too bad. Each of us has the right to make our views known, to make our comments and put them on the table.

Mrs. Stephanie Kusie: I'm sure we shouldn't assume that part. That wouldn't be right.

Mr. John Nater: No, we should not assume that, but I do think it's important. We're sent here and the voters will judge us, as Mr. Christopherson rightly pointed out. During the filibuster during the Standing Orders change, I quoted from the Anglican *Book of Common Prayer* to make the point that you don't enter into one of these things lightly. I was quoting from the marriage part of the Anglican *Book of Common Prayer*. You don't enter into a debate like this lightly. There are consequences.

Mrs. Stephanie Kusie: I'm Anglican too. I didn't know you were.

Mr. John Nater: I'm not Anglican. I'm Lutheran. I know random things, but a political scientist likened it to the Anglican *Book of Common Prayer*. I couldn't tell you who that was. I would have to go back to my notes to double-check that. I want to say first and foremost that we've missed the opportunity. The minister is here for another three minutes, and we've missed that opportunity. I think that's unfortunate.

Mr. David de Burgh Graham: You missed that opportunity.

Mr. John Nater: We did miss that opportunity, absolutely, David. Our opposition missed that opportunity. Mr. Christopherson's party missed that opportunity. The government missed that opportunity. We as a committee missed that opportunity because this motion was brought forward at the beginning of the meeting. It was the right of the government to bring forward that motion, and that happened. We can't change that now.

Mr. David de Burgh Graham: [*Inaudible—Editor*] two days ago.

Mr. John Nater: I do appreciate that I have the floor, Mr. Graham. If you want a Simms protocol, I'm always happy to yield the floor for a Simms protocol. The fact is that the minister has indicated she's willing to come back. I will take her at her word on that.

I have a great deal of respect for many Liberals, many on this committee and many who no longer sit in the House. One of those people I have a great deal of respect for is Stéphane Dion. Monsieur Dion said this:

> This bill comes after a long wait. It took the government two long years to introduce this bill, as though it cost the government a great deal to do so. This long wait was then followed by a suspicious haste to rush the bill through, to speed up the parliamentary process, as though the government had something to hide. It wants to rush through a 252-page bill that has to do with electoral democracy.

It's interesting that Mr. Dion said this during the debate on Bill C-23 because this is what happened with Bill C-33 tabled in November 2016, which was left unmoved, unloved on the Order Paper, and has never been debated at second reading. Then on April 30, towards the end of the spring sitting of Parliament, Bill C-76 is tabled. It is tabled, I would suggest, with some deal of haste, as Mr. Dion suggested with Bill C-23, and here we are. Here we are facing a guillotine motion with a hard end date. That's the right of the government to do so. That's the right of the committee to agree.

Mrs. Stephanie Kusie: That's a pretty severe term, "guillotine".

Mr. John Nater: I would say it's a parliamentary term, a guillotine motion.

Mrs. Stephanie Kusie: It sounds so severe.

Mr. John Nater: It does sound so severe, a closure motion, an end-date motion. It's a motion that has a set end date whereby this shall be debated and sent back to the House. Again, it's not that we're not willing to agree to the motion. If there's an indication from the government that they are willing to acknowledge some of our amendments to have that discussion, to have that commitment on the record that they are willing to entertain certain of our amendments, I would be happy to further this conversation. Unfortunately, I don't think we're there at this point.

Mr. Chair, I see that you're signalling me.

● (1630)

The Chair: The hour is up. Is it the will of the committee? We have a motion of adjournment on the floor. It's not debatable.

Mr. Scott Reid: It's not debatable. I can't debate this, but I think we should keep with the recorded votes.

(Motion agreed to: yeas 5; nays 4)

The Chair: The meeting is adjourned.

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